

1 justice. See id. The petition indicates that petitioner was convicted in Solano
2 County, which lies within the venue of the Eastern District of California, and that he
3 is confined in Lancaster (Los Angeles County), which lies within the venue of the
4 Western Division of the Central District of California. See 28 U.S.C. 84(b) and (c).

5 Since the petition is directed to the manner in which a sentence is being
6 executed, the district of confinement is the preferable forum. See Dunne v. Henman,
7 875 F.2d 244, 249 (9th Cir. 1989) (“The proper forum to challenge the execution of
8 a sentence is the district where the prisoner is confined.”); see also Habeas L.R.
9 2254-3(b) (providing for transfer of venue to district of confinement “if the petition
10 is challenging the manner in which the sentence is being executed”). Because
11 petitioner is confined in the Central District, the petition will be transferred to that
12 district.

13 Accordingly, the above-titled action is hereby TRANSFERRED to the United
14 States District Court for the Western Division of the Central District of California.
15 See 28 U.S.C. §§ 1404(a), 2241(d); Habeas L.R. 2254-3. In light of this transfer, the
16 Court will defer to the Central District with respect to petitioner’s pending motions.
17 (Docket Nos. 2, 3 and 5.)

18 The clerk shall transfer this matter and terminate any pending motions.

19
20 DATED: January 26, 2009


JAMES WARE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH ROBERT TEITGEN,
Petitioner,

Case Number: CV08-04833 JW

CERTIFICATE OF SERVICE

v.

BRIAN HAWS, Warden,
Respondent.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 2/12/2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Joseph Robert Teitgen V-34664
California State Prison - County (LAC)
44750 60th Street West
Lancaster, Ca 93536-7620

Dated: 2/12/2009

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk